

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**KYLE E. STOLARICK, for himself and
all others similarly situated**
Plaintiff

v.

**KEYCORP, trading as KEYBANK, N.A.,
*et al.***
Defendants

CIVIL ACTION

NO. 17-0593

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ORDER

AND NOW, this 17th day of October 2017, upon consideration of the *partial motion to dismiss* filed by Defendant Keycorp, trading as KeyBank, N.A. (“Defendant KeyBank”), [ECF 13], Plaintiff’s opposition thereto, [ECF 17], Defendant KeyBank’s *notice of supplemental authority*, [ECF 24], Plaintiff’s response thereto, [ECF 25], and the allegations contained in Plaintiff’s complaint, [ECF 1], it is hereby **ORDERED** that, for the reasons set forth in the accompanying Memorandum Opinion, the motion to dismiss is **GRANTED**. Accordingly, Counts I and II, as asserted against Defendant KeyBank *only*, are dismissed in their entirety, and Count IV, to the extent premised on a violation of 12 U.S.C. §2605(e), is dismissed.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro
NITZA I. QUIÑONES ALEJANDRO
Judge, United States District Court